

TRANSPORTATION

AND

REGULATORY

SUBCOMMITTEE

RECOMMENDATIONS

TO THE

PROVISO

SUBCOMMITTEE

**TRANSPORTATION AND REGULATORY SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2010-11
TO THE PROVISO SUBCOMMITTEE**

SECTION 56 - R04 - PUBLIC SERVICE COMMISSION

- 56.1 DELETE** (Real-Time Closed Captioning - Major Media Markets) Authorizes and directs the Public Service Commission to spend up to \$810,000 from the Dual Party Relay Fund to continue real-time closed captioning of locally produced news services for the 4 television stations currently providing the service. States that the purpose of the voluntary program is to allow deaf and hard-of-hearing citizens to have real-time access to news and weather information. Directs that these funds can only be used for expenditures directly related to real-time closed captioning and that this provision remains in effect through June 30, 2010 or until a contract for real-time closed captioning is awarded, whichever comes first.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *A contract has been awarded.* Fiscal Impact: No impact on the General Fund. Requested by Public Service Commission.

~~**56.1.** (PSC: Real-Time Closed Captioning - Major Media Markets) The Public Service Commission is authorized and instructed to expend up to \$810,000 from the Dual Party Relay Fund in order to continue real-time closed captioning of locally produced news services for the four television stations that are currently providing the service.~~

~~The purpose of the voluntary project is to allow for the deaf and hard-of-hearing citizens of our state to have real-time access to news and weather information. Only expenditures directly related to real-time closed captioning can be funded from this appropriation. This proviso will remain in effect through June 30, 2010 or until such time as a contract for real-time closed captioning may be awarded, whichever comes first.~~

SECTION 65 - R36 - DEPARTMENT OF LABOR, LICENSING AND REGULATION

- 65.3 AMEND** (POLA - ~~440%~~ 10%, Other Funds) Requires the Professional and Occupational Offices to annually remit to the general fund an amount equal to 10% of their expenditures. Requires the Contractor's Licensing Board to remit to the general fund all revenues above their expenditures and directs that their 10% is included in that amount. Requires the department to also transfer \$5,300,000 from Subfund 3135 to the general fund. Allows the department to transfer funds from any other earmarked or restricted "special revenue fund" and lifts any restrictions on the use of those funds for the fiscal year. States the General Assembly's intent to assist the department to reduce and eventually eliminate this general fund obligation.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that \$5,300,000 be transferred from Subfund 3135 to the general fund. *The transfer of the \$5.3 million was for FY 10-11.* Fiscal Impact: No impact on the general fund since this was a non-recurring one-time transfer. Requested by Department of Labor, Licensing and Regulation.

~~**65.3.** (LLR: POLA - ~~440%~~ 10%, Other Funds) The Professional and Occupational Offices in Program II.F. Professional and Occupational Licensing must remit annually an amount equal to 10% of the expenditures to the general fund. The Contractor's Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's Licensing Board to the general fund includes the 10%. In addition, the Department of Labor, Licensing, and Regulation is directed to transfer \$5,300,000 from Subfund 3135 to the General Fund of the State. In order to provide maximum flexibility to maintain critical programs, the department may, in lieu of the specific account identified herein, opt to transfer an equal amount of funds from any agency earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records~~

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~~for this purpose. Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. It is the intent of the General Assembly to assist the department to reduce and eventually eliminate this obligation to the general fund.~~

- 65.10 DELETE** (Transfer to General Fund) Directs the department to transfer \$4,362,265 to the General Fund from funds carried forward in Subfund 3135. Authorizes the department to transfer an equal amount of funds from any "special revenue funds" earmarked or restricted account if they so choose and directs that restrictions concerning use of those funds is lifted for the specified fiscal year.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The transfer was specifically for FY 09-10.* Fiscal Impact: No impact on the General Fund since this was a non-recurring one-time transfer. Requested by Department of Labor, Licensing and Regulation.

~~**65.10.** (LLR: Transfer to General Fund) For Fiscal Year 2009-10, the Department of Labor, Licensing, and Regulation is directed to transfer \$4,362,265 of the funds carried forward in Subfund 3135 to the General Fund of the State. In order to provide maximum flexibility to maintain critical programs, the department may, in lieu of the specific account identified herein, opt to transfer an equal amount of funds from any agency earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records for this purpose. Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year.~~

SECTION 89 - X90 - GENERAL PROVISIONS

- 89.100 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2009-10 higher education institutions shall not be required to submit printed reports mandated by Sections 2-47-40 [JBRC: INFORMATION TO BE FURNISHED BY AGENCIES AND INSTITUTIONS], 2-47-50 [JBRC: ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY BOARD; REVIEW OF PROPOSED REVISIONS; "PERMANENT IMPROVEMENT PROJECT" DEFINED], and 59-103-110 [APPROVAL FOR NEW CONSTRUCTION; EXEMPTIONS] and shall only submit the reports electronically. Directs that submission of plans or reports required by the following Sections are waived for the current fiscal year: 2-47-55 [JBRC: COMPREHENSIVE PERMANENT IMPROVEMENT PLAN], 59-101-350 [CHE ANNUAL REPORT; SUBMISSION OF INFORMATION BY EDUCATIONAL INSTITUTIONS FOR INCLUSION IN REPORT; ALUMNI SURVEYS], 59-103-30 [CRITICAL SUCCESS FACTORS AND PERFORMANCE INDICATORS], 59-103-45(4) [ADDITIONAL DUTIES AND FUNCTIONS OF COMMISSION REGARDING PUBLIC INSTITUTIONS OF HIGHER LEARNING], and 59-103-160(D) [ENGLISH FLUENCY IN HIGHER LEARNING ACT-INSTITUTIONS - POLICY AND AMENDMENTS TO THE POLICY]. Directs that per Section 2-47-55 [JOINT BOND REVIEW COMMITTEE-COMPREHENSIVE PERMANENT IMPROVEMENT PLAN] higher education institutions must continue to report year one of the Comprehensive Permanent Improvement Plan, and continue to report student pass rates on professional exams, and data elements required for the CHE Management Information System. Directs CHE, in consultation with institutions to take further action to reduce data reporting burdens as possible. Directs the Department of Agriculture, for FY 09-10, to not submit printed reports mandated by Section 46-49-10 [SUPERVISION AND REGULATION OF MILK AND MILK PRODUCTS, DEFINITIONS] and to instead provide the reports electronically and to use any savings for K5-12 agriculture education programs. Directs that for FY 09-10 the Department of Health and Human Services is not required to provided printed copies of the Medicaid Annual Report required by Section 44-6-80 [DHHS: ANNUAL AND INTERIM REPORTS] and the Provider Reimbursement Rate Report required by proviso 21.13 [PROVIDER REIMBURSEMENT RATE REPORT] and to instead provide the documents electronically. Prohibits the Department of Commerce, for FY 09-10, from printing, distributing, or mailing hard copy color

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brochures that have been produced at department expense to General Assembly members. Directs that brochures or documents provided to members shall only be produced in black and white. Directs that for FY 09-10, the Department of Transportation is not required to submit printed reports or publications mandated by Sections 1-11-58 [ANNUAL INVENTORY AND REPORT; REVIEW; SALE OF SURPLUS PROPERTY], 2-47-55 [JBRC: COMPREHENSIVE PERMANENT IMPROVEMENT PLAN], and 58-17-1450 [RAILROAD CROSSING SAFETY REQUIREMENTS]. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references from "2009-10" to "2010-11." *Technical.* Fiscal Impact: No impact on the General Fund.

89.100. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2009-10~~ 2010-11, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 2-47-55, 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report under 2-47-55 year one of the Comprehensive Permanent Improvement Plan, student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2009-10~~ 2010-11, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agriculture education programs.

(C) For Fiscal Year ~~2009-10~~ 2010-11 the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to proviso 21.13, and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2009-10~~ 2010-11 the Department of Commerce is prohibited from printing and distributing or mailing hard copy color brochures, that have been produced at department expense, to members of the General Assembly. Brochures or documents provided to members of the General Assembly shall only be produced in black and white.

(E) For Fiscal Year ~~2009-10~~ 2010-11, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

SECTION 90 - X91-STATEWIDE REVENUE

90.12 DELETE (DMV Cash Transfer) Directs DMV to transfer \$8,000,000 from any department earmarked or restricted "special revenue funds" account to the following agencies and lifts any restrictions concerning use of these funds for the current fiscal year: \$1,000,000 to SLED, \$4,000,000 to DPS, \$1,000,000 to DPPP, and \$2,000,000 to DJJ. Directs that for FY 09-10 the license plate replacement interval is suspended until funds transferred to other agencies are repaid to the department pursuant to proviso 90.13 or by any other source of funds or until the Plate Replacement Fee Fund has enough monies to reinstitute the license plate replacement.

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SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Fiscal Impact: No impact on the general fund.

90.12. (SR: DMV Cash Transfer) ~~The Department of Motor Vehicles shall transfer \$8,000,000 from any department earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records to the specified agencies in order to offset budget reductions and any restrictions concerning specific utilization of these funds are lifted for the current fiscal year:~~

- ~~(1) D10 State Law Enforcement Division.....\$ 1,000,000;~~
- ~~(2) K05 Department of Public Safety.....\$ 4,000,000;~~
- ~~(3) N08 Department of Probation, Parole, and Pardon Services.....\$ 1,000,000; and~~
- ~~(4) N12 Department of Juvenile Justice.....\$ 2,000,000.~~

~~For the Fiscal Year 2009-10, the license plate replacement interval is suspended until the funds transferred to other agencies within this provision are repaid to the department pursuant to proviso 90.13 or by any other source of funds or until such time as the Plate Replacement Fee Fund has a sufficient balance to reinstitute license plate replacement.~~